

July 12, 2023

By ECF

Honorable Ann M. Donnelly
United States District Court
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Sylla et al., v. Amazon Labor Union et al.
Civil Case No. 23-05261 (AMD)
Inappropriate Conduct by Counsel

Dear Judge Donnelly:

Yesterday evening we received a letter addressed to the Court, emailed to chambers (attached as Exhibit A). The author, Attorney Jeanne Mirer, asserted that it had also been filed by ECF, but it does not appear on the docket. In the letter, Attorney Mirer represented that she had not been retained by the Defendants and had not made an appearance in the case.

On July 7, 2023, we had emailed a copy all of our papers to Attorney Mirer and to her partner, Retu Singla, who represents herself as General Counsel of the Amazon Labor Union. On July 10, 2023, in the early hours of the morning, I received a letter from Attorney Mirer, which was attached to our July 10 filing as Exhibit L, threatening to file a Rule 11 Motion if we filed our Complaint. On July 10, 2023 we emailed a copy of all filed papers to Attorneys Mirer and Singla. Later on July 10, Attorney Mirer sent us another letter, by email, which she called a "Safe Harbor Letter," which included a Notice of Motion for Rule 11 Sanctions signed by her, under her firm's name, as "Attorney for Defendants." We forwarded this to the Court yesterday, July 11, 2023, to indicate that the attorneys we had sent the papers to on July 7, and then again on July 10, were the attorneys for Defendants.

In her letter during the evening of July 11, 2023, Attorney Mirer writes to the Court and states that she has not been retained as counsel to Defendants, and asks the Court to strike our letter of July 11, 2023, which included her Rule 11 Motion papers, from the docket. Attorney Mirer asserts that she has not appeared in this matter, yet she is making a motion to strike material from the docket that she served, signed as Attorney for Defendants, on Attorneys for

Honorable Ann M. Donnelly
July 12, 2023
Page 2

Plaintiffs. So what we have here is an attorney sending a Rule 11 “Safe Harbor Letter,” which attaches a proposed Motion for Sanctions, and then we have that same attorney asserting to the Court that she is not retained and is not appearing for the Defendants. We are confused not only about how a non-appearing attorney can make a motion to strike something from the docket, but also how an attorney who has not been retained, can send a Rule 11 “Safe Harbor Letter” which attaches a Rule 11 Motion, on counsel for a party in a proceeding.

Attorney Mirer, though she has the Court’s order about tomorrow’s hearing, and although she has signed a “Safe Harbor Letter” as Attorney for Defendants, refuses to accept service of the Court’s order and the underlying papers. A process server has served or is about to serve the Defendants at their office in Staten Island.

We are writing this letter to document that Attorney Mirer has unethically sent a Rule 11 “Safe Harbor Letter” even though she has represented to the Court that she is not the attorney for Defendants. We are also writing to document the fact that attorneys who work for the Defendants have multiple sets of the motion papers. Should an attorney show up in court tomorrow and claim that they have “just been given a copy of the papers, because their client was only served on the afternoon of July 12,” we want to make it clear that Attorney Mirer and her partner, who is General Counsel of the Amazon Labor Union, have had all papers since July 7, 2023.

Respectfully submitted,

/s/ Arthur Z. Schwartz

Arthur Z. Schwartz

AZS:dr
Attachment

cc: Jeanne Mirer, Esq. (by email)